

10/537950

Patent

JC20 Rec'd PCT/PTO 08 JUN 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Terence Tai-Li Hwa, et al.

Serial No. TBD

Filed: June 8, 2005

For: GENETIC COMPUTING USING
COMBINATORIAL
TRANSCRIPTION CONTROL

Group Art Unit: To be assigned

Examiner: To be assigned

INFORMATION DISCLOSURE STATEMENTMail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with 37 CFR Sections 1.97 and 1.98, the items identified in this Information Disclosure Statement ("IDS") are brought to the attention of the Office. The items are listed on the attached form PTO/SB/08A. With reference to the Pre-Official Gazette Notice by the Office of Patent Legal Administration, this application was filed after June 30, 2003, therefore copies of cited U.S. Patents and Publications are not submitted.

CERTIFICATE OF MAILING

(37 C.F.R. § 1.8)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail, addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

June 8, 2005

Eleanor M. Musick

Name of Person Mailing Paper



Signature of Person Mailing Paper

The items identified in this IDS may or may not be "material" pursuant to 37 CFR 1.56. The submission thereof by Applicants is not to be construed as an admission that any such patent, publication or other information referred to therein is material or considered to be material (37 CFR 1.97(h)), or even qualifies as "prior art" under 35 USC 102 with respect to this invention unless specifically designated by Applicant as such.

FILING PROVISION

This IDS is believed to be timely and is submitted under 37 CFR 1.97(b)(3) before the mailing of a first Office Action on the merits. However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c).


PAYMENT AND/OR AUTHORIZATION TO CHARGE FEES:

No fees are required with this filing under 37 CFR 1.97(b)(3), however, if applicant is incorrect in this regard or if the filing is accepted under 37 CFR 1.97(c), the Commissioner is hereby authorized to charge any fees required by the filing of these papers to Procopio's Deposit Account No. **50-2075**.

Respectfully submitted

Dated: June 8, 2005

By: _____


Eleanor M. Musick
Reg. No. 35,623
Attorney for Applicants

Procopio, Cory, Hargreaves & Savitch LLP
530 B Street, Suite 2100
San Diego, California 92101
Telephone: (760) 931-9700
Facsimile: (760) 931-1155

Docket No.: US3087 (111845-0057)

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

(Use as many sheets as necessary)

Complete if Known

Application Number

10/537950

Filing Date

June 9, 2005

First Named Inventor

Terence Tai-Li Hwa

Group Art Unit

Unknown

Examiner Name

Unknown

Sheet

2

of

2

Attorney Docket Number

US3087 (111845-0057)

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	B1	BUCHLER, N., et al. "On schemes of combinatorial transcription logic" <i>PNAS</i> (April 29, 2003) Vol. 100, pp. 5136-5141.	
	B2	GERLAND, U., et al., "On the Selection and Evolution of Regulatory DNA Motifs" <i>J. Mol. Evol.</i> (2002) 55:386-400	
	B3	GERLAND, U., et al., "Physical constraints and functional characteristics of transcription factor – DNA interaction", <i>PNAS</i> (September 17, 2002) Vol. 99, pp. 12015-12020.	
Examiner Signature			Date Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.